

Interview Summary	Application No. 10/764,733	Applicant(s) MIGNANO, DANIEL	
	Examiner Justin M. Larson	Art Unit 3727	

All participants (applicant, applicant's representative, PTO personnel):

(1) Justin M. Larson. (3)_____.

(2) Bernard S. Hoffman. (4)_____.

Date of Interview: 07 February 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 7.

Identification of prior art discussed: Hoffman et al. (US 5,649,658).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner faxed a proposed claim 7 amendment (see attached) to Mr. Hoffman for review. Mr. Hoffman then contacted Examiner to discuss the content of the amendment. In particular, Mr. Hoffman was concerned with the language of lines 15-16, particularly the portion "wherein said hunting blind is secured to each of said first and second surfaces". Mr. Hoffman was unclear as to what Examiner was considering to be the second surface. In lines 5-7, the proposed amendment establishes that "said secondary compartment has first and second surfaces, said first surface being releasably connected to said second surface along two side edges and an upper edge..." Looking at Applicant's figures, in Figure 2, panel 4 is in fact the claimed "first surface" which is releasably connected (zippered) to a second surface. Examiner is considering the releasable fastener to essentially divide the secondary compartment into a first surface and second surface. Any portion of the secondary compartment that is separated from the first surface by the releasable fastener is being considered the second surface.



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United States Patent and Trademark Office
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Fax Cover Sheet

Date: 07 Feb 2006

To: Bernard S. Hoffman	From: Justin M. Larson
Application/Control Number: 10/764,733	Art Unit: 3727
Fax No.: (631) 331-8883	Phone No.: (571) 272-8649
Voice No.:	Return Fax No.: (571) 273-8300
Re:	CC:

☐ **Urgent** ☒ **For Review** ☐ **For Comment** ☒ **For Reply** ☐ **Per Your Request**

Comments:

Attached is Examiner's proposed claim 7. Please let me know if the language is acceptable at this point or if you would like to take more time and submit formal amendments of your own.

Number of pages 3 **including this page**

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Art Unit: 3727

Claim 7 (***Proposed*** Amendment)

A combination pack and hunting blind, comprising:

a.) a pack;

wherein said pack has a main compartment and a secondary compartment;

wherein said secondary compartment is located on an exterior surface of said main compartment, said secondary compartment has first and second surfaces, said first surface being releasably connected to said second surface along two side edges and an upper edge, and pivotably connected to said second surface along a lower edge;

wherein said secondary compartment has a closed position in which said first and second surfaces oppose one another inside of said secondary compartment;

wherein said secondary compartment has an open position in which said first surface depends from said pack and said second surface;

and;

b.) a hunting blind;

wherein said hunting blind is secured to each of said first and second surfaces along substantially the length of said side edges of said secondary compartment;

wherein said hunting blind has a stowed position and a deployed position;

wherein said hunting blind is housed in said secondary compartment when said hunting blind is in said stowed position;

wherein said hunting blind is deployed from said secondary compartment in said open position when said hunting blind is in said deployed position.